

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

Page 1 of 1

Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

DocuSigned by:

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Director, Contract Services Division

Recommended by:

DocuSigned by:

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Executive Director

115726 APR 30 2020

Minute
Number

Date
Passed

**EXHIBIT A
DONATIONS
April 30, 2020**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Abilene Police Foundation	Traffic Safety Division	Taylor	The donor is donating a fixed sum of \$14,292.32 to design, fabricate, and install two memorial highway designation signs on the portion of LP 322 between US 84 and IH 20, designated as the Officer Rodney T. Holder Memorial Highway within Taylor County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$14,292.32	3/20/2020
2.	A-L 95 Creekside Town Center, L.P.	San Antonio District	Comal	The donor is donating the design and construction of a right turn and left turn lanes for Sophia Drive a new street intersecting FM 306 in New Braunfels, Comal County, Texas. All design and construction will be performed by the donor. its consultant or its contractor. The estimated value of the donation is \$110,000.00.	\$110,000.00	3/16/2020
3.	AT&T Inc.	Traffic Safety Division	N/A	The donor is donating 1,000 units of "It Can Wait" cardboard viewers to be used for campaign related activities and community outreach events. The cardboard viewers will be used to promote traffic safety awareness of distracted driving across the state. The cost of each viewer is \$5 each. The estimated value of the donation is \$5,000.00.	\$5,000.00	3/27/2020
4.	Austin AURO LP	Austin District	Travis	The donor is donating the design and construction of two new signal poles at the existing intersection of FM 1325 and Northridge Road in Austin, Travis County, Texas. Improvements is part of the TIA mitigations for the Broadstone development. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$200,000.00	3/26/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	Austin Stadco LLC	Austin District	Travis	The donor is donating the design and construction of a new traffic signal at the intersection of FM 1325 and Burnet Access Road in Austin, Travis County, Texas. The improvement includes the installation of signal poles, pedestrian crosswalk poles, pavement striping and new signs. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$290,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$290,000.00	4/02/2020
6.	Cargill Meat Solutions Corporation	Lubbock District	Parmer	The donor is donating a sum of \$10,000,000.00 towards the state's cost to construct a new grade separated intersection on US 60 and CR 15 in Parmer County, Texas. The new bridge will allow the traveling public to safely traverse US 60 and relieve existing conflict points with traffic associated with donor's operation, that is located adjacent to US 60. All design and construction work will be provided by the state. The state will include the construction work as part of an existing TxDOT project (CSJ 0168-02-032).	\$10,000,000.00	4/02/2020
7.	Cedar Port NIT IP 1, LLC	Beaumont District	Chambers	The donor is donating the design and construction of a southbound left turn lane into the donor's facility entrance on FM 1405 in Chambers County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$200,000.00	4/03/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	Centex Los Milagros, L.P.	Austin District	Bastrop	The donor is donating a fixed sum of \$74,655.00 towards the state's cost to construct a center turn lane on SH 21 in Bastrop County, Texas. The limits of the project are from 0.75 miles west of Legend Oaks Drive to 0.58 miles East of Caldwell Road (County Road 260). All design and construction will be provided by the state, its consultant or its contractor. The state will include the construction work as part of a current TxDOT project CSJ#0471-04-030. <i>(Replaces previously on 2/27/2020 due to a change in scope.)</i>	\$74,655.00	4/07/2020
9.	Chevron Phillips Chemical Company LP	Beaumont District	Orange	The donor is donating the design and construction of several roadway improvements on SH 62, FM 1006, FM 105, SH 87 and BUS 90 in Orange, Orange County, Texas to facilitate better access to and from the donor's property. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$21,000,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$21,000,000.00	3/08/2020
10.	Continental Homes of Texas, L.P.	Austin District	Travis	The donor is donating a fixed sum of \$155,250.00 towards the state's cost to construct an eastbound/northbound left turn lane and a northbound/southbound right turn lane at the intersection of Gregg Lane and FM 973 in Manor, Travis County, Texas. Improvements include pavement widening, striping, and signage as part of the TIA mitigations for the Stonewater North Subdivision. All design and construction work will be provided by the state, its consultant or its contractor. The state will include the construction work as part of a current FM 973 overlay project CSJ 1200-02-033.	\$155,250.00	3/26/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
11.	Gary W. Purser Construction, Ltd.	Waco District	Bell	The donor is donating the design and construction of a 4-way signaled intersection on FM 201 (Clear Creek Road) at Golden Gate Drive, south of the existing signaled intersection located on W. Stan Schlueter Loop and FM 201 in Killeen, Bell County, Texas. This includes a southbound right turn deceleration lane and a northbound left turn deceleration lane to allow the residents to enter and exit the subdivision on FM 201. The estimated value of the donation is \$700,000.00.	\$700,000.00	3/20/2020
12.	Gibson Energy Infrastructure, LLC	Odessa District	Winkler	The donor is donating the design, construction and construction engineering inspections (CEI) of highway improvements to include, but not limited to, the addition of acceleration lanes, deceleration lanes, improvement to surface drainage and installation of small roadside warning signs, southwest of FM 1232, along SH 115 in Winkler County, Texas. All design, construction, and CEI work will be provided by the donor, its consultant or its contractor. The state will review proposed construction plans, specifications and estimates and performing limited quality assurance inspection/testing and inspection of the work that is on the state right of way. The donor will be responsible for the state's costs, providing needed real estate (if applicable), acceptable design of highway improvements, roadway construction, construction materials, and CEI for both material testing and construction inspection. The estimated value of the donation is \$1,000,000.00.	\$1,000,000.00	3/10/2020
13.	IDEA Public Schools	San Antonio District	Bexar	The donor is donating the design and construction for widening of a section of FM 1516 at the intersection of Binz-Engleman Road to accommodate traffic signals and left turn deceleration lanes at the IDEA Converse school in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$250,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$250,000.00	3/08/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
14.	KB Home Lone Star Inc.	San Antonio District	Bexar	The donor is donating the design and construction for widening of a section of SH 16 approximately 0.25 miles south of IH 410 to accommodate a right and left turn deceleration lane into Palo Alto development in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$532,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$532,000.00	4/02/2020
15.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Comal	The donor is donating the design and construction of a right turn lane on SH 46 at Peiper Road in New Braunfels, Comal County, Texas. The design and construction will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$300,000.00.	\$300,000.00	3/20/2020
16.	Logisticus Projects Group LLC	Wichita Falls District	Wichita Falls, Baylor and Knox	The donor is donating the design and construction of temporary roadway widening and sign relocations necessary to increase the turning radius for transporting oversize loads and then returning each site to its original condition promptly after the completion of the transportation activities requiring the work. The donor will perform the work at the following intersections: (1) SH 240 at FM 890 in Wichita Falls (Wichita County); (2) US 183 at US 82 near Seymour (Baylor County); (3) LP 11 WB at LP 11 SB in Wichita Falls; (4) BU 277 at LP 11 in Wichita Falls; and (5) FM 267 at FM 1758 near Benjamin (Knox County). All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$130,000.00.	\$130,000.00	3/30/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
17.	National Oilwell Varco, L.P.	Bryan District	Grimes	The donor is donating the design and construction of a left turn lane, a right turn lane, and additional signage on state Highway 105 in Grimes County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$980,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged 12/18/2018 due to a change in scope.)</i>	\$980,000.00	3/20/2020
18.	Republic EES, LLC	Bryan District	Grimes	The donor is donating the design and construction of a left turn lane and associated widening and striping on SH 30 into the donor's property located in Grimes County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$180,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$180,000.00	3/20/2020
19.	RCR Taylor Rail, L.P.	Austin District	Williamson	The donor is donating the design and construction of a flashing beacon on US 79 and FM 3349 near the RCR-Taylor Logistics Park development in Taylor, Williamson County, Texas. The purpose is to provide a safer median crossing for large truck and trailers from the donor's development. The estimated value of the donation is \$120,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$120,000.00	3/20/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
20.	SG Land Holdings LLC	Austin District	Travis	The donor is donating a fixed sum of \$373,402.00 towards the state's cost to construct an eastbound/northbound left turn lane and a northbound/southbound right turn lane at the intersection of Shadowglen Trace and FM 973 in Manor, Travis County, Texas. Improvements include pavement widening, striping and signage. All design and construction work will be provided by the state, its consultant or its contractor. The state will include the construction work as part of a current FM 973 overlay project CSJ 1200-02-033.	\$373,402.00	3/26/2020
21.	Steel Dynamics, Inc.	Corpus Christi District	San Patricio	The donation consists of the design and construction of acceleration and deceleration lanes into the donor's driveway on SH 89 north of Sinton in San Patricio County, Texas. The northbound outside lane of SH 89 will have one deceleration lane going into the donor's driveway and one acceleration lane leaving the driveway. The southbound inside lane of SH 89 will have one acceleration lane leaving the donor's driveway. All work will be performed by the donor, its consultant, or its contractor. The estimated value of the donation is \$960,000.00.	\$960,000.00	4/02/2020
22.	TVPA Partners LLC	San Antonio District	Bexar	The donation consists of the design and construction for widening of a section of SH 16 approximately 0.5 miles north of LP 1604 to accommodate a left turn deceleration lane into the Palo Alto Villas Unit 2 development in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$68,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$68,000.00	3/09/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
23.	Vaquero Clifton Partners, LP	Waco District	Bosque	The donation consists of the design and construction of approximately 315 linear feet of sidewalk and two pedestrian ramps along the edge of the property adjacent on SH6/Avenue G right of way at 923 N. Avenue G into the donor's development in Clifton, Bosque County, Texas. The new items will be built according to applicable ADA regulations. All work will be performed by the donor, its consultant, or its contractor. The estimated value of the donation is \$7,600.00.	\$7,600.00	4/07/2020
24.	Victor D. Turley	Waco District	Bell	The donor is donating the design and construction of a left turn and right turn lane on FM 2268 into a future development by widening the existing roadway approximately 1,900 linear feet in Bell County, Texas. The work will include hot-mix asphalt concrete type D, temporary and permanent pavement markings, traffic control and erosion control. All work will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$120,000.00.	\$120,000.00	3/08/2020

**EXHIBIT B
DONATIONS
April 30, 2020**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1.	Premiere Events	Austin	Hays	The donor is donating \$1,312.20 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
2.	Kwik Ice	Austin	Travis	The donor is donating \$1,512.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
3.	Exceptional ER	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
4.	AMOCO Federal Credit Union	Houston	Brazoria	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
5.	AMCAP Mortgage, LTD.	Houston	Fort Bend	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
6.	TWS Acquisition Corp dba The Refrigeration School	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
7.	Shell Federal Credit Union	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
8.	AMCAP Mortgage, LTD.	Houston	Harris	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
9.	Linscomb & Williams, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
10.	Texas Plumbing Supply, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.

11.	LCA-Vision Inc. dba LasikPlus Vision Centers	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
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